

Offense / Incident Report

GENERAL OFFENSE INFORMATION

Report Type: Cumulative Report

Agency	PORT LAVACA PD	Location	101 CALHOUN PLAZA PORT LAVACA TEXAS 77979
Case #	18-01180		
File #			
Description	PUBLIC INTOXICATION		
Incident Status	CLEARED BY ARREST	From Date/Time	08/27/2018 23:23
		To Date/Time	
		Report Date	08/28/2018 01:35
Reporting Officer	OBREGON, J	Initial Rep. Date	08/28/2018 01:35

OFFENSE(S)

Offense	PUBLIC INTOXICATION		
Statute	49.02		
Attempt Status	COMPLETED		
Offense Status	ACTIVE		
Location	PARKING LOT/GARAGE		
Computer	N	Alcohol	N
Weapons	NONE	Drug	N
Criminal Activity	NONE/UNKNOWN		
Bias Type		Bias Motivation	

COMPLAINANT

Name	TEXAS, STATE OF		
Address	201 N COLORADO ST PORT LAVACA TX 77979	Phone	361-552-3788
Race		Ethnic	
Height		Sex	DOB
S.S.N.	__-__-__	Weight	Eyes
		DL & St.	JRN#

VICTIM(S)

Name	TEXAS, STATE OF		
Address	201 N COLORADO ST PORT LAVACA, TX 77979	Phone	361-552-3788
Race		Ethnic	
Height		Sex	DOB
S.S.N.	__-__-__	Weight	Eyes
		DL.& St.	JRN#
Type of Victim	SOCIETY/PUBLIC	Victim Of	NONE
		Injury Type	NONE
Homicide/Assault Circumstance			

SUBJECT(S)

Name	ARDOIN, BRYAN L				
Address	4045 TREADWAY ROAD APT 2104 BEAUMONT, TX 77706			Phone	- -
Race	B	Ethnic	N	Sex	M
Height		Weight		DOB	[REDACTED] (41)
S.S.N.	- -	DL & St.	*****	JRN#	
Sub. Type	ARRESTEE	Arrest ID	18-00692	Citation #	
Notes					

VEHICLE(S)

Details	1999 TOYOTA 4-RUNNER CARRY-ALL				
VIN	[REDACTED]		Colors		
Plate No	[REDACTED]	State	TX	Year	0
Impound			Type		

Entered By OBREGON, J**Officer** OBREGON, J**Supervisor**

Incident # 18-01180

OBREGON, J PUBLIC INTOXICATION

On 08/27/2018 (Monday) at approximately 2323 hrs, I, Officer Obregon of the Port Lavaca Police Department responded to 101 Calhoun Plaza (HEB) parking lot in reference to a suspicious vehicle. PLPD dispatch advised there was a vehicle in the parking lot with its door open.

Upon arrival I, observed the vehicle with the door open. The vehicle was identified as a 1999 silver Toyota 4 Runner (TX LP # [REDACTED] owner: Brian L Ardoin 4045 Treadway Rd Apt 2104, Beaumont, TX 77706). As I approached the vehicle a male subject was sitting in the driver side asleep with the vehicle off and the keys were not in the ignition. The male subject was awakened where he provided his TX DL # [REDACTED] as, Bryan L Ardoin, B/M, DOB: [REDACTED].

While speaking to Ardoin he displayed glassy eyes and began to sway as he stood upright. Ardoin was asked to perform a Standardized Field Sobriety Tests to determine if he could safely operate a motor vehicle. Ardoin was reluctant in performing the Standardized Field Sobriety Tests stating he was not drunk. Ardoin later agreed to perform the Standardized Field Sobriety Tests.

Ardoin was advised to step in front of my patrol unit (2845) to perform the Standardized Field Sobriety Tests. Ardoin was asked again if he had any alcoholic beverage where he stated he did not.

Ardoin was asked to place his feet together (heel-to-heel and toe-to-toe) and to place his arms out by his side. Ardoin was told to remain in that position until told otherwise. Ardoin was advised to follow my stimulus with his eyes only and not to move his head. Ardoin advised he understood the instructions. I held the stimulus at approximately 12 inches to 15 inches in front of his face, slightly above eye level. Ardoin eyes did not display any signs of resting nystagmus, but did have equal pupil size. Ardoin was checked for equal tracking where it was determined Ardoin was eligible for the horizontal gaze nystagmus.

Ardoin eyes were checked for Lack of Smooth Pursuit. Two passes of the Lack of Smooth Pursuit were conducted where no clues were detected. Ardoin eyes were checked for Distinct and Sustained Nystagmus at Maximum Deviation. Two passes were conducted where two clues were detected. Ardoin eyes were checked for Onset of Nystagmus Prior to 45 Degrees. Two passes were conducted where no clues were detected. The Vertical Nystagmus portion was performed on Ardoin but no clues were detected. I observed 2 of 6 clues from Ardoin during the performance of the Standardized Field Sobriety Test.

I began instructing and physically demonstrating the second Standardized Field Sobriety Test, the Walk and Turn test. Ardoin was advised to place his left foot on the straight yellow line provided in the parking lot and to place his right foot in front of his left foot (right heel touching left toe). Ardoin had difficulty trying to get into position. I advised him to get back into position and to remain in that position until told otherwise. Ardoin then began the test before instructions were given. Ardoin was asked get back into position where he acknowledged and agreed he understood the instructions. Ardoin had a difficult time keeping his balance and continued to get out of position numerous times during the instruction phase. I advised Ardoin during the test he was going to take nine heel to toe steps down the imaginary straight line. I advised Ardoin to look at his feet, keeping his hands down to his side and counting the steps out loud. Upon reaching his ninth step, he was to take a series of small steps, leaving his front foot planted on the line, turning back around before taking nine heel to toe steps back down the imaginary straight line.

While performing the test, Ardoin continued to proceed after he reached his ninth step. He continued to proceed forward and missed a heel to toe step. Ardoin did not stop until he reached his Sixty Second step where he advised he had completed the Walk and Turn test. I observed a total of 4 out of 8 clues during the Walk and Turn Test.

I began to instruct and physically demonstrate Ardoin on the One Leg Stand test. I instructed and demonstrated Ardoin to place his feet together, keeping his hands to his sides and to remain in that position until told otherwise. Ardoin was instructed to raise which ever foot, he felt comfortable with, approximately 6 inches above the ground with his foot parallel to the ground, and to keep both his legs straight. Ardoin was instructed to look at the elevated foot, to count out loud (one-thousand one, one-thousand two, one-thousand three etc.), keep his hands to his side and to not stop until the test was completed. After fully instructing and physically demonstrating Ardoin on the One Leg Stand, I advised him to begin.

During the performance of the One Leg Stand, I observed Ardoin begin to use his arms for balance. As Ardoin continued with the One Leg Stand he would stop counting after he was instructed to not stop until he notified to stop. I observed one out of four clues during the One Leg Stand.

After completing the Standardized Field Sobriety Tests, Ardoin was placed under arrest for Public Intoxication. A Vehicle Inventory Form was completed by Corporal Pena for the stated vehicle. The vehicle was towed by Kens Wrecker Service. Ardoin was transported to Calhoun County Jail where he was released to the care and custody of CCSO Jail Staff. Ardoin was issued a citation for Public Intoxication where it was placed inside his property. A copy of the citation and the Affidavit for Probable Cause were placed into the Municipal Court Box.

My body worn camera and dash camera were activated during this incident.

END OF REPORT

Arrest Report

Arrest # 18-00692

ARRESTEE DETAILS

Name	BRYAN L ARDOIN		
Address	4045 TREADWAY ROAD APT 2104, BEAUMONT TEXAS 77706		
Phone	____-____-____	SSN	____-____-____
		DL	*****
Race	B	Sex	M
		Age	41
DOB	<div></div>		
Height		Weight	
Hair			
Eyes	JRN	SID	
FBI	MID		
Resident	N	Inc.#	18-01180
Place of Birth			

ARREST INFORMATION

Arrest Date-Time	8/28/2018 - 00:15	Hold Reason	WARRANTLESS/ON VIEW	
Arrest Location	101 CALHOUN PLAZA PORT LAVACA TX 77979			
Arrest Agency	PORT LAVACA PD	Release To	CCSO JAIL STAFF	
Arrest Type	ON VIEW	Resist Arrest	N	Arrested Before N
Arrest Disp	COUNTY	Arrest Officer	J OBREGON	
Supervisor	J KLARE	Miranda Officer		
Arrest Condition	INTOXICATED			
Armed With	UNARMED			

ARREST CHARGES

Violation	PUBLIC INTOXICATION			
Statute	49.02			
Judgement				
Judge		Court		
Disp Date	08/28/2018	Court Date	09/20/2018 0:00	Bond Amt \$0.00
Warrant #		Citation #	EE021619	Incident # 18-01180
Disposition	COUNTY	Bond Type		

CASE # 18-01180

SUPPLEMENT# 0

DATE: 08/28/18

OFFICER Oregon BADGE# 5519

ATTACHMENTS: ORIGINALS OF THE ABOVE CASE. PLEASE PLACE IN YOUR FILE MAKE SURE EVERYTHING IS COMPLETE AND SIGNED.

BOOKING SHEET _____

CASH BOND _____

PROBABLE CAUSE STATEMENT _____

WARRANT# _____

CR-43 /

WARRANT# _____

CR-44 _____

WARRANT# _____

STATEMENTS _____

WARRANT# _____

EVIDENCE SHEET _____

WARRANT# _____

CRIMINAL HISTORY _____

DWI REPORT _____

RECEIPTS _____

28 RETURN _____

ACCIDENT REPORT _____

27 RETURN _____

VEHICLE INVENTORY /

PHOTOS _____

MUNICIPAL COMPLAINT _____

VIDEO EVIDENCE _____

WITHDRAWAL OF COMPLAINT _____

USE OF FORCE FORM _____

PURSUIT FORM _____

PHARMACIST AFFIDAVIT _____

AFFIDAVIT OF NON PROSECUTION _____

EMERGENCY APP WARRANT _____

JAIL SUBMISSION FORM _____

MISC _____

CITATION /

MISC _____

PLEASE REVIEW WITH YOUR SERGEANT BEFORE SUBMITTING THIS TO RECORDS CLERK.

COMPLETE _____ PER SERGEANT _____

NOT COMPLETE _____ EXPLAIN _____

Affidavit For Probable Cause

The State of Texas
County Of Calhoun

I, OFFICER JUAN OBREGON, being duly sworn, upon oath state that I have good reason to believe and do believe before the making of this statement, that:

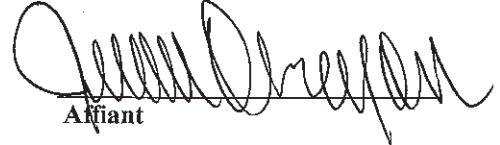
I am a Peace Officer employed by the Port Lavaca Police Department and was so employed and was acting in the capacity on or about the 27TH day of AUGUST, 2018 in Calhoun County, Texas, Precinct No. _____, when the defendant, BRYAN ARDOIN, DOB: [REDACTED], did then and there to wit:

Charge 1: PUBLIC INTOXICATION.

Charge 2: _____.

Charge 3: _____.

I base this belief upon the following (detail elements establishing probable cause): I, Officer J. Obregon of the Port Lavaca Police Department responded 101 Calhoun Plaza (HEB) parking lot in reference to vehicle with an open. Upon arrival I observed a silver 1999 Toyota 4 Runner with an open door. As I approached the vehicle I observed a male subject asleep inside the vehicle while the vehicle was off. The vehicle keys were not in the ignition either. The male subject was awakened and provided his TX DL # [REDACTED] identified him as, Bryan Ardoin, B/M, DOB: [REDACTED]. While speaking to Ardoin he displayed glassy eyes and began to sway as he stood. Ardoin was asked to perform a Standardized Field Sobriety Tests to determine if he could safely operate a motor vehicle. Ardoin was hesitant on performing the Standardized Field Sobriety Test but later decided to perform them. After completing the Standardized Field Sobriety Tests Ardoin demonstrated failed results. Ardoin was placed under arrest for Public Intoxication. He was transported to Calhoun County Jail where he was released to the care and custody of CCSO Jail Staff. .


Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY NOTARY OF THE PUBLIC OR SWORN PEACE OFFICER
OF THE STATE OF TEXAS ON: August 28, 2018.


Signature

CPI #371
Title/Badge # or Notary Seal

[illegible]